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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,217	02/14/2002	Shai N. Gozani	NEURO-NRO-008	8764
7590 Mark J. Pandiscio Pandiscio & Pandiscio 470 Totten Pond Road Waltham, MA 02154			EXAMINER APANIUS, MICHAEL	
			ART UNIT 3736	PAPER NUMBER
			MAIL DATE 02/06/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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In re Application of:

Gozani et al

Serial No. 10/075,217

Filed: Feb. 14, 2002

Docket: NEURO-NRO-008

Title:

APPARATUS AND METHOD FOR
PERFORMING NERVE CONDUCTION
STUDIES WITH LOCALIZATION OF
EVOKED RESPONSES

DECISION ON PETITION
UNDER 37 CFR § 1.181

This is a decision on the petition to withdraw holding of abandonment filed on Jan. 11, 2008. The letter is being considered as a petition pursuant to 37 CFR 1.181(a). No fee is required. The petitioner requests withdrawal of the holding of abandonment.

The petition is **GRANTED**.

The present application was held abandoned for failure to timely respond to the Non-Final Rejection mailed on Feb. 23, 2007 which set forth a three-month period for reply. Notice of abandonment was mailed on Dec. 11, 2007.

Petitioner asserts that a timely response to the Non-Final Rejection was submitted on Aug 23, 2007. The petitioner has supplied a copy of the amendment as well as a copy of certificate of mailing dated Aug. 23, 2007 and an acknowledgement post-card receipt indicating a receipt date of Aug. 23, 2007. The USPTO Palm system also shows that there was a petition of three-month extension of time fee paid.

As the petitioner has provided convincing evidence that a timely reply to the Non-Final Office action was submitted on Aug. 23, 2007, there is no abandonment in fact. Any inconvenience or delay caused to applicant is regretted.

In view of the above, the Notice of Abandonment mailed Dec. 11, 2007 is in error and is hereby vacated. The holding of abandonment is withdrawn. This application is being forwarded to the examiner in Art Unit 3736 for appropriate action.

Frederick R. Schmidt, Director
Technology Center 3700